

EXHIBIT F

U.S. Department of Homeland Security
Washington, DC 20229



**U.S. Customs and
Border Protection**

DIS-2-OT:CTE:ALK
2011F15173

December 12, 2011

Susan B. Long
Co-Director, TRAC and
Associate Professor
Martin J. Whitman School of Management
Syracuse University
721 University Avenue
Syracuse University
Syracuse, NY 13244-2450

Dear Dr. Long:

This letter is an acknowledgement to your Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE) FOIA Case Number 2010FOIA4313 referred to U.S. Customs and Border Protection (CBP) requesting specific information covering individuals arrested, detained, charged, returned or removed during the period of October 1, 2004 to date. Specifically, ICE requested CBP conduct a search for responsive records maintained by CBP.

Your request is under review. Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, Title 6 C.F.R. Part 5, the Department processes FOIA requests according to their order of receipt. Although CBP's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. We will make every effort to comply with your request in a timely manner.

As it relates to your fee waiver request, we have reviewed your letter dated April 5, 2011 thoroughly and have determined that you have not presented a convincing argument you are entitled to a blanket waiver of fees.

The DHS FOIA Regulations, 6 CFR § 5.11(k)(2), set forth six factors to examine in determining whether the applicable legal standard for a fee waiver has been met. We will consider these factors in our evaluation of your request for a fee waiver:

- (1) Whether the subject of the requested records concerns "the operations or activities of the government;"

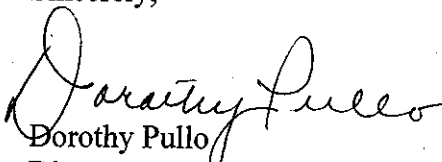
- (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities;
- (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons;
- (4) Whether the contribution to public understanding of government operations or activities will be "significant;"
- (5) Whether the requestor has a commercial interest that would be furthered by the requested disclosure; and
- (6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor.

As a requester, you bear the burden under the FOIA of showing that the fee waiver requirements have been met. Based on our review of your request and for the reasons stated herein, we have determined that your fee waiver request is deficient because disclosure of this information will not contribute significantly to the public understanding of government operations or activities. Since your request for a fee waiver has failed to satisfy each of the required factors, we are denying your fee waiver request.

This acknowledgement notifies you that your request was placed in the media category. Pursuant to the Department of Homeland Security (DHS) implementing regulations, Title 6 C.F.R. § 5.11, media requesters are responsible to pay 10-cents per page in excess of 100 pages for duplication. We will construe the submission of your request as an agreement to pay up to \$25.00.

This office may be reached at (202) 325-0150. Please notate file number 2011F15173 on any future correspondence to CBP related to this request.

Sincerely,


Dorothy Pullo
Director, FOIA Division
Office of International Trade